

Legislation Details (With Text)

File #: 19-211 **Name:**

Type: Report **Status:** Individual Item Ready

File created: 3/12/2019 **In control:** City Council

On agenda: 3/25/2019 **Final action:**

Title: Discuss and consider a request for a conditional sign permit to allow a pole sign that would be taller and with a larger sign cabinet than allowed by ordinance, for TexStar Bank, presently addressed at 954 Loop 337.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Aerial & Zoning Maps, 2. TexStar app, 3. Proposed Sign, 4. Site Plan, 5. Photographs

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|--------|--------|
| 3/25/2019 | 1 | City Council | | |

Presenter

*Christopher Looney, Planning and Community Development Director
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SUBJECT:

Discuss and consider a request for a conditional sign permit to allow a pole sign that would be taller and with a larger sign cabinet than allowed by ordinance, for TexStar Bank, presently addressed at 954 Loop 337.

BACKGROUND / RATIONALE:

Case No.: CS-18-033

Council District: 4

Applicant: Denise Childers, Comet Signs
235 W. Turbo Drive
San Antonio, TX 78216
(210) 812-2238
denise.childers@cometsigns.com

Owner: TexStar Bank
600 Pat Booker Road
Universal City, Texas 78148

Staff Contact: Holly Mullins, Planner
(830) 221-4054
hmullins@nbtexas.org

After contemplating both a denial, and a compromised height of 28 feet and square footage of between 100 and 125 square feet, action on this item was postponed from the March 11, 2019 City Council meeting.

The subject property is 0.72 of an acre at the northeast corner of Loop 337 and Common Street and is zoned C-1 (Local Business District). A TexStar Bank branch is currently under construction on the site.

New Braunfels' Sign Ordinance allows sign types and sizes based on zoning and specific street frontage:

- The C-1 zoning district allows **either**:
 - One monument sign up to 8 feet in height and 32 square feet in area (including monument structure), with a 10-foot minimum setback; **or**
 - One low-profile pole sign up to 6 feet in height and 20 square feet in area, with a 10-foot minimum setback.
- With 100 feet of Loop 337 frontage, the property is also allowed:
 - An additional monument sign up to 10 feet in height and 60 square feet in area (including the monument structure), with a 5-foot minimum setback.
- **Alternatively**, properties on Loop 337 may have a 28-foot tall, 200 square-foot sign containing an electronic message face (digital sign) up to 100 square feet in area; **however, no other free-standing signs are allowed on a property if it has an electronic message sign.**

The conditional sign permit process is intended to:

1. allow an applicant flexibility in creating alternative signage designs to complement a development's unique characteristics;
2. increased sign area and/or height in lieu of multiple signs they would otherwise be allowed; and/or
3. allow additional signage due to unusual constraints associated with the property.

Through this process, City Council can consider such requests within the context of a specific location.

The applicant is requesting approval of a pole sign for the bank that would:

- be 32 feet tall, exceeding the maximum pole sign height limitation by 26 feet; **and**
- have a 12-foot by 24-foot (288 square feet) sign face, exceeding maximum sign area for a pole sign by 268 square feet.

The applicant has already erected a pole; they applied for and received a permit for installation of the base due to sequencing and installation of their underground water filtration system and parking lot. The pole and base are all one piece. The applicant has assured the City they will lower the height of the pole if necessary to the height authorized by City Council. An off-premise sign (billboard) appears to have previously been on the subject site (see attached aerial photo), but appears to have recently been moved to the property next door.

The proposed sign would be an internally illuminated sign cabinet with a dark background. Although not an opaque background, the dark blue background with white letters as proposed would result in less light pollution than a sign with dark letters on a white field.

There is approximately 100 feet of right-of-way between the property line and Loop 337. The applicant states traffic at this intersection is such that visibility of a conforming low-profile pole sign

(six feet in height) would be minimal or non-existent. If approved, the applicant is agreeable to making this the only free-standing sign on the property, with the exception of small parking lot directional signs such as those directing motorists to the drive-thru.

Nearby Sign Heights

Below is a table of nearby taller signs and their approximate height. Most of these signs were erected before New Braunfels had rules or permitting requirements for signs. Therefore, staff conducted field measurements to obtain the approximate height calculations.

| Sign Location | Sign Type | Approx. Height |
|------------------------------------|-----------------------|----------------|
| Black's Barbeque (former Rudy's) | Pole | 40 feet |
| Gennaro's (former Johnny Carino's) | Pole | 40 feet |
| Common Market | Multi-tenant | 34 feet |
| Los Cucos | Pole | 40 feet |
| Buffalo Wings & Rings | Pole | 28 feet |
| *Rudy's | High-profile Monument | 28 feet* |
| El Nopalito | Pole | 14 feet |
| Cooper's | Pole | 38 feet |
| Harley-Davidson | Pole | 40 feet |
| **D & D | Electronic Message | 28 feet** |
| Cube Smart Storage Facility | Pole | 24 feet |
| Crisis Pregnancy Center of NB | Monument | 10 feet |

****Permitted by right based upon length of Loop 337 frontage***

*****City Council Approved Conditional Sign Permit in 2014***

Square Footage

As noted above, many of these signs were constructed before standards were adopted or permits were required. Therefore, square footage for many of these signs is not known. However, below are a few visible, known signs for comparison purposes:

- D&D Outfitters' sign includes two components (a sign cabinet at 85 square feet, plus an LED digital display at 77 square feet) equating to 162 square feet
- Amish Oak/The Jumpy Place is 100 square feet
- Rudy's BBQ is 136.5 square feet
- Black's BBQ's new sign cabinet is smaller than Rudy's old one was. It calculates to 84 square feet.

Surrounding Zoning and Land Use:

North - C-1/ Church

South - Across Common Street, C-1B/ Commercial (restaurants)

East - R-1/ Church parking lot

West - Across Loop 337, C-1/ Commercial (convenience store with gasoline sales)

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

| | |
|--|--|
| City Plan/Council Priority: Envision New Braunfels Comprehensive Plan | Action 7.8: Enhance pedestrian quality of the City by limiting the realm of the automobile. |
|--|--|

FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

While the Loop 337 right-of-way is unusually wide at this location, there do not appear to be significant topographic features or hardships associated with the subject property. And, while there are tall signs nearby, many if not all were erected prior to the City having rules for signs.

The subject property is zoned C-1, a neighborhood business zoning district. Lesser neighborhood impact is achieved in C-1 through shorter/smaller signs, as well as lower use intensities, maintaining the human scale of the built environment. The next more intense commercial district, C-1B, allows pole signs to be slightly taller at 10 feet but still at a maximum of 20 square feet. The subject location, on Loop 337, does afford the site some additional signage options though, including an additional monument sign, or a tall digital sign in lieu of all other signs.

Staff recommends denial as requested. The proposed height and square footage appears better suited for signs along expressways where motorists need to see a business from greater distances. Signs at intersections of major roadways can be shorter so as to be in the field of vision of motorists at a stop light or travelling at slower speeds (taller signs can extend above a motorist's field of vision at close distances).

Staff recognizes some height might be necessary so motorists can see the bank's location over the tops of other automobiles. And, staff does note the applicant would accept the proposed sign in lieu of the 100 square foot 28-foot tall electronic message center sign, and the 60 square foot monument that are otherwise allowed at this location. Therefore, should City Council be inclined to approve the applicant's request, staff recommends some alternatives and conditions for consideration:

1. A shorter height, perhaps consistent with one of the nearby signs (El Nopalito, Rudy's BBQ or Buffalo Wings & Rings).
2. Smaller square footage, perhaps consistent with Rudy's BBQ or D&D Texas Outfitters.
3. That no other freestanding signs, other than parking lot/drive-through directional signs, be permitted on the property; and
4. That the sign be designed with a dark background, as proposed.

If a conditional sign permit is denied by City Council, the Sign Ordinance does not require a waiting period before the applicant may submit another (same or different) request on the same property.

ATTACHMENTS:

1. Aerial Map
2. Application
3. Proposed Sign Details

4. Site Plan
5. Photographs